



Reprinted  
February 3, 2004

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## HOUSE BILL No. 1293

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DIGEST OF HB 1293 (Updated February 2, 2004 7:53 pm - DI 102)

**Citations Affected:** IC 8-1.5; IC 13-26.

**Synopsis:** Utilities. Allows a municipally owned water utility to adjust a residential water bill if: (1) the bill reflects monthly water usage that is at least two times the customer's average monthly usage; and (2) the excess usage is caused by equipment damage that is not detectable on the premises and not caused by an act of the customer or customer's agent. Provides that a utility that elects to adjust water bills for undetectable leaks must do so according to policies adopted by the utility. Permits a regional water, sewage, or solid waste district to issue revenue bonds that accrete interest.

**Effective:** July 1, 2004.

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**Pierce, Thomas**

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January 15, 2004, read first time and referred to Committee on Local Government.  
January 29, 2004, reported — Do Pass.  
February 2, 2004, read second time, amended, ordered engrossed.

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HB 1293—LS 7363/DI 101+



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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1293

A BILL FOR AN ACT to amend the Indiana Code concerning  
utilities and transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 8-1.5-3.5 IS ADDED TO THE INDIANA CODE  
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2004]:

4 **Chapter 3.5. Water Bill Adjustments for Undetected Leaks**

5 **Sec. 1. As used in this section, "unusually large bill" means a**  
6 **residential water bill that reflects monthly water usage, in**  
7 **whatever units measured, that is at least two (2) times the**  
8 **customer's average monthly usage at the premises.**

9 **Sec. 2. As used in this section, "utility" refers to a water utility**  
10 **owned or operated by a municipality.**

11 **Sec. 3. Notwithstanding IC 8-1-2-103(a), a utility may adjust an**  
12 **unusually large bill if the excess usage reflected in the bill is caused**  
13 **by physical damage to any facility or equipment supplying water**  
14 **to the premises and the damage:**

15 (1) **is not visible or detectable on the customer's premises**  
16 **except upon excavation or some other disturbance of the**  
17 **property; and**

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(2) is not the result of an act of the customer, or of any agent or contractor hired by the customer.

**Sec. 4. A utility that elects to adjust unusually large bills must do so in accordance with policies adopted by the utility. The utility's policies must specify the procedures by which a customer may request an adjustment and prove the damage described in section 3 of this chapter.**

SECTION 2. IC 13-26-10-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 3. Revenue bonds may:

(1) bear interest, at a rate or rates not exceeding the maximum determined by the board, that is payable ~~annually~~ or ~~at shorter intervals~~, **accretes as determined by the board.**

(2) mature at a time or times to be determined by ordinance; and

(3) be made redeemable before maturity at the option of the district, to be exercised by the board, at not more than the par value and a premium not exceeding five percent (5%) under terms and conditions that are fixed by the ordinance authorizing the issuance of the bonds.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1293, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

MOSES, Chair

Committee Vote: yeas 13, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1293 be amended to read as follows:

Page 2, after line 7, begin a new paragraph and insert:

"SECTION 2. IC 13-26-10-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 3. Revenue bonds may:

(1) bear interest, at a rate or rates not exceeding the maximum determined by the board, that is payable ~~annually or at shorter intervals;~~ **accrues as determined by the board.**

(2) mature at a time or times to be determined by ordinance; and

(3) be made redeemable before maturity at the option of the district, to be exercised by the board, at not more than the par value and a premium not exceeding five percent (5%) under terms and conditions that are fixed by the ordinance authorizing the issuance of the bonds."

Renumber all SECTIONS consecutively.

(Reference is to HB 1293 as printed January 30, 2004.)

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